

**MINUTES OF THE GILBERT TOWN COUNCIL IN SPECIAL MEETING,
THURSDAY, SEPTEMBER 6, 2012 AT 7:00 P.M., 50 EAST CIVIC CENTER DRIVE,
GILBERT, ARIZONA**

COUNCIL PRESENT: Mayor Lewis, Vice Mayor Sentz, Councilmembers Cook, Cooper, Daniels, Petersen and Ray

COUNCIL ABSENT: None

STAFF PRESENT: Manager Banger, Deputy Manager Skocypec, Clerk Templeton, Attorney Goodwin

CALL TO ORDER OF SPECIAL MEETING

Mayor Lewis called the meeting to order at 7:05 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Father William Schmid, Saint Mary Magdalene Church gave the invocation. Scouts led the Pledge of Allegiance and introduced themselves.

ROLL CALL

Clerk Templeton called roll and declared a quorum present.

PRESENTATIONS; PROCLAMATIONS

1. Oath of Office administered to James Torgeson for the Redevelopment Commission and to Joyce Meyer and Craig Cuillard for the Human Relations, Culture and Arts Promotion Commission.

Mayor Lewis administered the Oath of Office to James Torgeson for the Redevelopment Commission and to Joyce Meyer and Craig Cuillard for the Human Relations, Culture and Arts Promotion Commission.

2. Recognition of Raymond Patten III, Permit & Planning Services Manager, for 31 years of service to the Town of Gilbert.

Councilmember Cooper introduced Raymond Patten and thanked him for his service to the Town. He reviewed some of the accomplishments of Mr. Patten.

3. Recognition of Les May, Police Officer, for 31 years of service to the Town of Gilbert.

Vice Mayor Sentz introduced Officer May and thanked him for his service to the Town. He reviewed many of Officer May's accomplishments.

4. Recognition of the Gilbert NFL Flag Football team, 14U Raiders, for winning the NFL Regional Tournament in Texas.

Councilmember Ray introduced the players and coaches of the 14U Raiders. The coach noted the players' accomplishments and introduced the members.

5. No Item.

6. Pillar of the Month - *Responsibility*.

Mayor Lewis read the Pillar of the Month, *Responsibility*.

6A. Presentation on National Preparedness Month.

Emergency Management Coordinator Gibbons gave a presentation on the importance of being prepared for disasters in the community, and highlighted the work being done in the Town with regard to emergency preparedness.

7. COMMUNICATIONS FROM CITIZENS

None.

CONSENT CALENDAR

Item 29 was removed from the agenda.

A MOTION was made by Vice Mayor Sentz, seconded by Councilmember Daniels, to approve Consent Items 8, 9, 10, 11, 14, 16, 19, 21, 22, 23, 23A, 27, 28, and 30; and remove Items 12, 13, 15, 17, 18, 20, 24, 25 and 26 from the Consent Calendar. *Motion carried 7-0.*

8. ANNEXATION A12-19/A12-04 – consider adoption of the following Ordinances related to annexation and deannexation of rights-of-way along Gilbert Road:

- a) an Ordinance deannexing approximately .03 acres of right-of-way at the intersection of Gilbert and Pecos Roads contingent upon approval by the Maricopa County Board of Supervisors; and
- b) an Ordinance annexing approximately 2.65 acres of right-of-way along Gilbert Road from Williams Field Road to Pecos Road contingent upon deannexation by the City of Chandler and approval by the Maricopa County Board of Supervisors.

This item was approved with the Consent Calendar vote. Ordinance No. 2383 and Ordinance No. 2384 were adopted.

9. INTERGOVERNMENTAL AGREEMENT – consider approval of Intergovernmental Task Force Agreement No. 2012-3001-0309 with the Drug Enforcement Administration related to anti-drug trafficking measures, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

10. INTERGOVERNMENTAL AGREEMENT – consider approval of Intergovernmental Agreement No. 2012-3001-0310 with Maricopa County Animal Control for animal control services from July 1, 2012 through June 30, 2016, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

11. INTERGOVERNMENTAL AGREEMENT —consider approval of an amendment to Intergovernmental Agreement No. 2007-1501-0178 with the Superior Court of Maricopa County related to jury services, for the period of July 1, 2012 to June 30, 2013, and authorize the Presiding Judge to execute the required documents.

This item was approved with the Consent Calendar vote.

12. MEMORANDUM OF UNDERSTANDING – consider approval of Memorandum of Understanding No. 2012-5007-0311 with the Friends of the Southeast and Perry Branch Libraries related to the selling of used library items, and authorize the Mayor to execute the required documents.

Interim Parks and Recreation Director Dykstra responded to questions on the Memorandum of Understanding. She explained that the Friends have been in existence many years but there has been no formal agreement. There was a brief discussion on formally bidding the item and that a review of the contract and an audit is needed in the future.

A MOTION was made by Councilmember Ray, seconded by Councilmember Petersen, to approve Memorandum of Understanding No. 2012-5007-0311 with the Friends of the Southeast and Perry Branch Libraries related to the selling of used library items, and authorize the Mayor to execute the required documents and instructing staff that there be a one year review of the contract and audit by the Town. *Motion carried 7-0.*

13. AGREEMENT – consider approval of Amended and Restated Standard Land Lease Agreement No. 2013-1105-0082 with Crown Atlantic Company, for a wireless communications facility at 14032 East Germann Road for an approximate four year term through October 31, 2016, with automatic renewal for up to four additional five-year terms, and authorize the Mayor to execute the required documents.

There was brief discussion on the history of this agreement and whether this should be opened to competitive bid. Staff responded that the leases are site specific and explained that the towers are constructed with additional space for other providers and Town use. These agreements have

traditionally been entered into upon request of a provider and Gilbert did determine that the lease price is competitive with that being charged by other communities.

A MOTION was made by Vice Mayor Sentz, seconded by Councilmember Cook, to approve the Amended and Restated Standard Land Lease Agreement No. 2013-1105-0082 with Crown Atlantic Company, for a wireless communications facility at 14032 East Germann Road for an approximate four year term through October 31, 2016, with automatic renewal for up to four additional five-year terms, and authorize the Mayor to execute the required documents. *Motion carried 7-0.*

14. LAND - consider adoption of an Ordinance authorizing an exchange of real property between Gilbert and Maricopa County at and adjacent to Rodeo Park located east of Val Vista Drive and south of Ray Road, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote. Ordinance No. 2385 was adopted.

15. CONTRACT – consider approval of professional services Contract No. 2013-4108-0086 with CH2M HILL Engineers, Inc. in an amount not to exceed \$367,387 to provide professional services for staffing augmentation and completion of a compliance and reporting audit for Gilbert's water quality and production systems and to transfer \$367,387 from Water Fund Contingency to the Water Operations Fund, and authorize the Mayor to execute the required documents.

Interim Public Works Director Horn gave a brief overview and advised that fluoridation at the North Water Treatment Plant stopped in July 2011 and the system is not currently in operation. He explained that Carollo Engineers has been retained for design and construction administration to get the system back in operation. Design is estimated at 30 days with an additional 30 to 60 days for construction.

Assistant to the Manager Dailey discussed the need to rebuild public trust and assure continuity of operations. A contract with CH2M Hill Engineers, Inc. is proposed as they have the capacity and experience to provide professional services for staffing augmentation and completion of a compliance and reporting audit for Gilbert's water quality and production systems. The contract will include identifying and implementing improvements and looking at best management practices.

Assistant to the Manager Dailey stated she is confident that the Town is receiving excellent pricing on the contract. Although this is a short-term contract the pricing is comparable to what other municipalities would pay if long-term contracts were prorated. Councilmember Petersen advised that he is usually in favor of the competitive bidding process but that in this instance it is important to complete the compliance and auditing work expeditiously. Assistant to the Manager Dailey reviewed CH2M Hill's credentials.

A MOTION was made by Vice Mayor Sentz, seconded by Councilmember Petersen, to approve Contract No. 2013-4108-0086 with CH2M HILL Engineers, Inc. in an amount not to exceed

\$367,387 to provide professional services for staffing augmentation and completion of a compliance and reporting audit for Gilbert's water quality and production systems and to transfer \$367,387 from Water Fund Contingency to the Water Operations Fund. *Motion carried 7-0.*

16. CONTRACT – consider approval of Purchase Order Contract No. 2013-1105-0083 with Volt Technical Resources, LLC through a state contract for temporary technology staffing in an amount not to exceed salary savings of funded positions that are vacant for FY2012-13, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

17. CHANGE ORDER – consider:

- a) approval of Change Order No. 1 to Contract No. 2012-7003-0162 with DCS Contracting, Inc. increasing the contract amount by \$338,295.20 for the Higley and Baseline Intersection Project No. ST146; and
- b) authorize a budget transfer of \$338,295.20 from Capital Improvement Projects Contingency and the use of wastewater fund reserves, and authorize the Mayor to execute the required documents.

Craig Cuillard, Gilbert, said that accountability is important for vendors who win contracts. He questioned why the conditions prompting the Change Order in this item could not have been written into the original RFP, or foreseen.

Assistant Town Engineer Medina said that the changes were for something added by staff after bidding was completed. The changes were made as a result of the plans for expansion of certain businesses who will be using the enlarged sewage line. He advised that the change adds scope to the project which was not part of the original bid. He reviewed the reasons for the change from an eight-inch to fifteen inch sewer line. There was general discussion on the manner in which costs for these types of improvements are passed on to property owners. He briefly reviewed which improvements are passed on to property owners when future developments are constructed, often in the form of system development fees. Manager Banger advised that this change was not something that could have been foreseen.

A MOTION was made by Vice Mayor Sentz, seconded by Councilmember Daniels, to approve Item Nos. 17 and 18, as presented.

A MOTION was made by Councilmember Petersen, seconded by Councilmember Cook, to amend the original MOTION to designate that the funds come from the Wastewater Contingency Economic Development Reserve Fund. *Motion carried 7-0.*

The Council voted on the Original Motion, as amended. *Motion carried 7-0.*

18. CHANGE ORDER – consider:

- a) approval of Change Order No. 1 to Contract No. 2011-7003-0040 with Kitchell CEM increasing the contract amount by \$49,918 for the Higley and Baseline Intersection Project No. ST146; and
- b) authorize a budget transfer of \$49,918 from Capital Improvement Projects Contingency and the use of wastewater fund reserves, and authorize the Mayor to execute the required documents.

This item was approved together with Item No. 17.

19. CONTRACT – consider rejection of all bids but the bid of the lowest and best responsible bidder, waive clerical errors and award Contract No. 2013-8003-0008 with ELS Construction in the amount of \$97,682.10 for work in Parkway Improvement District Nos. 07-02, 07-04 and 07-09, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

20. GRANT – consider authorizing application of Grants from the US Department of Transportation's Congestion Mitigation Air Quality Program for congestion mitigation and air quality improvements related to bicycle and pedestrian facilities, intelligent transportation systems and Particulate Matter-10 paving.

Councilmember Petersen said the US Government is bankrupt. He said he would support putting off this item until Gilbert can fund the program itself. Councilmember Daniels advised that this is a funded mandate from the federal government.

A MOTION was made by Councilmember Cooper, seconded by Councilmember Daniels, to approve the item as presented. *Motion carried 4-3 with Councilmembers Cook, Petersen and Ray voting against the Motion.*

21. SPECIAL EVENT LIQUOR LICENSE – consider approval of a Special Event Liquor License for Save the Family of Arizona for a fundraising event on October 5, 2012 from 6:00 p.m. to 9:00 p.m. located at 2218 East Williams Field Road.

This item was approved with the Consent Calendar vote.

22. SPECIAL EVENT LIQUOR LICENSE – consider approval of a Special Event Liquor License for the American Legion Post 39 for a membership recruitment event on November 16 and 17, 2012 from 6:00 a.m. to 2:00 a.m. located at 206 North Gilbert Road.

This item was approved with the Consent Calendar vote.

23. SPECIAL EVENT LIQUOR LICENSE – consider approval of a Special Event Liquor License for the Tempe Bicycle Group for a Cyclocross bicycle event on November 10, 2012 from 6:00 p.m. to 11:00 p.m. located at 1663 East Baseline Road.

This item was approved with the Consent Calendar vote.

23A. TEMPORARY EXTENSION OF PREMISES – consider ratifying approval by the Mayor of a temporary extension of premises for Nicantoni's located at 1430 West Warner Road for an event to be held on September 6, 2012.

This item was approved with the Consent Calendar vote.

24. BONDS - consider adoption of a Resolution granting approval to the execution and delivery by the Industrial Development Authority of the Town of Gilbert, Arizona, of a lease and related documents in an aggregate amount of not to exceed \$50,000,000, to finance and refinance the costs of acquiring, constructing, improving and equipping health care facilities owned or operated by John C. Lincoln Health Network.

25. BONDS - consider adoption of a Resolution granting approval to the issuance by the Industrial Development Authority of the Town of Gilbert, Arizona, of its hospital revenue and refunding bonds (John C. Lincoln Health Network), Series 2012, in an aggregate principal amount of not to exceed \$27,000,000, to finance and refinance the costs of acquiring, constructing, improving and equipping health care facilities owned or operated by John C. Lincoln Health Network.

26. BONDS - consider adoption of a Resolution granting approval to the execution and delivery by the Industrial Development Authority of the Town of Gilbert, Arizona, of a lease and related documents in an aggregate amount of not to exceed \$6,000,000, to finance and refinance the costs of acquiring, constructing, improving and equipping health care facilities owned or operated by John C. Lincoln Health Network.

Items Nos. 24, 25 and 26 were taken together. Economic Development Administrator Powell described these items before Council to authorize the use of Industrial Development Authority to allow the use of tax exempt bonds by the John C. Lincoln Health Network. He explained that the Town has no liability for the bonds and the Industrial Development Authority is a funding mechanism and this provides good experience and exposure that Gilbert is open to business.

David Lamparter, of John C. Lincoln Health Network, Gilbert resident, briefly addressed Council on the John C. Lincoln Health Network and the services they provide. He thanked Council for their support of the bond issuance.

A MOTION was made by Councilmember Ray, seconded by Councilmember Petersen, to approve Items 24, 25, and 26. *Motion carried 7-0.*

Resolution Nos. 3127, 3128, and 3129 were adopted.

27. BOARDS AND COMMISSIONS – consider approval of the resignation of Jessica Sarkissian from the Planning Commission.

This item was approved with the Consent Calendar vote.

28. COUNCIL ADMINISTRATION - consider approval of changes to the 2012 Council Meeting Calendar.

This item was approved with the Consent Calendar vote.

29. ELECTIONS - consider adoption of a Resolution accepting the canvass of the August 28, 2012 Primary Election.

This item has been removed from the agenda.

30. MINUTES – consider approval of the minutes of the Special Meetings of August 2, August 16 and August 22, 2012 and the Special Meeting for Study Session of August 14, 2012.

This item was approved with the Consent Calendar vote.

PUBLIC HEARING

Vice Mayor Sentz reported that Items 35 would be removed for discussion.

Mayor Lewis opened the public hearing for items 32, 33, 34, 36 and 37. No one wished to speak and Mayor Lewis closed the public hearing.

A MOTION was made by Councilmember Daniels, seconded by Vice Mayor Sentz, to approve public hearing items 32, 33, 34, 36 and 37. *Motion carried 7-0.*

31. No Item.

32. LIQUOR LICENSE – conduct hearing and consider approval of an acquisition of control for a Series 7 Beer and Wine Bar Liquor License for Cost Plus World Market located at 4988 South Power Road.

This item was approved with the Public Hearing vote.

33. PROPERTY ACQUISITION – conduct hearing and consider:

- a) adoption of a Resolution No. 3130 approving the acquisition of right-of-way and easements for the Higley and Baseline Intersection Project, Project No. ST146; and

- b) authorizing a budget transfer of \$96,175 from Capital Improvement Projects Contingency and the use of wastewater fund reserves, and authorize the Mayor to execute the required documents.

This item was approved with the Public Hearing Vote. Resolution No. 3130 was approved.

34. ZONING Z12-07 conduct hearing and consider approval of the findings and adoption of an Ordinance amending Ordinance No. 2289 to rezone approximately 29.28 acres of real property located east of the southeast corner of Val Vista Drive and Riggs Road from approximately 29.28 acres of Single Family-8 (SF-8) zoning district, with a Planned Area Development (PAD) overlay zoning district to Single Family-7 (SF-7) zoning district, with a PAD overlay zoning district, and maintain the existing amended conditions of development set forth in the prior Ordinance.

This item was approved with the Public Hearing vote. Ordinance No. 2386 was adopted.

35. FEES - conduct hearing and consider adoption of a Resolution establishing special event and block party permit fees and terms.

Interim Parks and Recreation Director Dykstra reviewed this item. She said staff has looked at ideas for cost recovery. In response to a question, she noted that the effective date of these fees and this Resolution, if approved, would be thirty days from the date of adoption. Councilmember Daniels said the public should be made aware of these changes as soon as possible. Interim Parks and Recreation Director Dykstra reviewed how education and outreach will be conducted. Councilmember Petersen suggested that the Council discuss cost recovery percentages for all lines of service and proposed the November 15, 2012 Council Meeting as the date for this discussion. Interim Parks and Recreation Director Dykstra said staff is working to put together information on lines of service and cost recovery. She said she believed staff will be prepared to present this information at the November 15, 2012 Council Meeting. Councilmember Petersen said he would like to see both non-profit and for-profit users of fields or facilities charged equally. He said non-profits should not be treated differently from commercial organizations. There was general discussion on the fees charged in surrounding municipalities. Interim Parks and Recreation Director Dykstra said that Gilbert would be unique in eliminating differing site-rental rates for non-profit and for-profit organizations. Discussion followed on non-profit organizations located in Gilbert or those who have events in the Town.

Mayor Lewis opened the Public Hearing. No one wished to speak and Mayor Lewis closed the Public Hearing.

A MOTION was made by Councilmember Daniels, seconded by Councilmember Cooper, to adopt Resolution No. 3131 establishing special event and block party permit fees and terms.

A MOTION was made by Councilmember Petersen, seconded by Cook, to amend the Motion to eliminate the site-rental rate for non-profits and to charge all users the current for-profit rate.

Motion failed 2-5 with Mayor Lewis, Vice Mayor Sentz and Councilmembers Cooper, Daniels and Ray voting against the Motion.

The Council voted on the Original Motion, to adopt Resolution No. 3131 establishing special event and block party permit fees and terms, as presented. *Motion carried 7-0.*

36. CODE OF GILBERT - conduct hearing and consider adoption of an Ordinance amending the Code of Gilbert, Arizona, by amending Chapter 15 Special Events and adopting by reference the documents entitled "2012 Amendments to the Code of Gilbert Chapter 15 Special Events" related to the regulation of special events in the Town.

This item was approved with the Public Hearing vote. Ordinance No. 2387 was adopted.

37. CODE OF GILBERT - conduct hearing and consider adoption of an Ordinance amending the Code of Gilbert, Arizona, by amending Chapter 46 Parks and Recreation by adopting by reference the document entitled "2012 Amendments to Chapter 46 Parks and Recreation" related to the regulation of activities in recreational facilities and riparian preserves.

This item was approved with the Public Hearing vote. Ordinance No. 2388 was adopted.

ADMINISTRATIVE ITEMS

38. AGREEMENT – consider waiving the bidding requirements and approve Agreement No. 2012-1308-0072 with Share My Stamp for utility billing advertising for the period of September 10, 2012 through January 31, 2013, and authorize the Mayor to execute the required documents.

Utility Billing Administrator Nieves said this contract would only be good through January 31, 2013. She said staff is in the process of writing an RFP to be ready in January 2013. The contract will be opened up to public bidding.

A MOTION was made by Vice Mayor Sentz, seconded by Councilmember Daniels, to approve waiving the bidding requirements and approve Agreement No. 2012-1308-0072 with Share My Stamp for utility billing advertising for the period of September 10, 2012 through January 31, 2013. *Motion carried 6-1 with Councilmember Petersen voting against the Motion.*

38A. BOARDS AND COMMISSIONS – discussion and direction regarding the formation of a Regulatory Reduction Commission or other group dedicated to regulatory reform (Petersen, Cook, Ray).

A MOTION was made by Councilmember Petersen, seconded by Councilmember Ray, to move discussion of this item to the October 4, 2012 Council Meeting. *Motion carried 7-0.*

39. BOARDS, COMMISSIONS, AND COMMITTEES - reports from Council Liaisons for the:

- a) Council Subcommittee on Board and Commission Application Screening, Interview, and Selection
- b) Other Council Subcommittees
- c) Congress of Neighborhoods Committee
- d) Design Review Board
- e) Environmental and Energy Conservation Advisory Board
- f) Gilbert Educational Cable Access Governing Board
- g) Human Relations, Culture and Arts Promotion Commission
- h) Industrial Development Authority
- i) Mayor's Youth Advisory Committee
- j) Parks, Recreation and Library Services Advisory Board
- k) Planning Commission
- l) Redevelopment Commission
- m) Special Events Commission
- n) Gilbert Public Facilities MPC
- o) Gilbert Water Resources MPC
- p) Gilbert Self-Insured Trust Fund
- q) Regional Meetings
- r) Utility Board

Vice Mayor Sentz said recruitments have begun for positions in the Planning Commission. Councilmember Cook reported on a Martin Luther King Jr. event which will take place in January 2013.

POLICY ITEMS

40. POLICY NO. 2012-06 - consider approval of Council Policy No. 2012-06 related to utility billing advertising.

Councilmember Petersen said he was in favor of this item if the money were used in one way but not in another. The Council agreed to discuss the use of the money that would be raised through advertising in utility bills. The Council agreed that advertising promoting medical marijuana would be prohibited. Councilmember Cook said he does not agree with prohibiting businesses selling alcohol, tobacco or firearms. These are legal businesses, he mentioned, and should be allowed to advertise. Councilmember Cooper said that these types of businesses have other ways to advertise, and he noted that Gilbert residents do not want to open their utility bills to see ads promoting alcohol, tobacco or firearms. Councilmember Ray said alcohol, tobacco and firearms are item which are illegal for certain groups of citizens, and so should be excluded from those being allowed to advertise. Councilmember Petersen said that the free market will resolve the issue of which types of businesses will advertise. Utility Billing Administrator Nieves said there will be an opt-out option for those not wanting to receive utility billing inserts. Councilmember Daniels said the Town should prohibit certain businesses from advertizing to Gilbert families. Discussion followed on allowing certain businesses to advertise in utility bills. Vice Mayor Sentz said that only Gilbert businesses registered in the Town should be allowed to advertise. Discussion followed on the difference between a company which is registered in Gilbert and

another which only does business in the Town. Utility Billing Administrator Nieves said that the language in the Policy could be changed to specify that only companies who maintain a business license with the Town would be allowed to advertise. The Council agreed to include this language and to have written into the Policy the option for citizens to opt out.

There was brief discussion on how the money raised in this program would be allocated. Councilmember Petersen said he would like to see the program allow citizens to accumulate a credit if they do not opt out of the program. This credit could then be donated to the Neighbor 2 Neighbor program. In response to a question, Budget Administrator Irvine stated that these funds can be used for whatever use Council desires. Councilmember Ray said the Council Subcommittee on Non Profit Community Support will be discussing whether the funds raised from the utility-billing inserts will be in addition to, or will replace, General Fund dollars given to nonprofits in the years before all nonprofit giving is eliminated. The Council agreed that the funds raised from the program would be allocated to nonprofits.

A MOTION was made by Vice Mayor Sentz, seconded by Councilmember Daniels, to approval of Council Policy No. 2012-06 related to utility billing advertising with changes. *Motion carried 6-1 with Councilmember Petersen voting against the Motion.*

41. FUTURE MEETINGS

There may be a discussion of whether to place an item on a future agenda and the date, but not the merits of the item.

Discussion and direction on a potential policy regarding the number of boards or commissions on which an individual may serve at one time. (Cooper, Petersen, Sentz)

Scheduled Date: October 4, 2012

COMMUNICATIONS

42. Report from the TOWN MANAGER on current events.

Manager Banger reported the opening of the new Fire Station #10. He reported on single-family permits in the last month.

43. Report from members of the COUNCIL on current events.

None.

44. Report from the MAYOR on current events.

Mayor Lewis reported a recent League of Cities conference. Vice Mayor Sentz said he was the flag-bearer at this event. Mayor Lewis reported on recent Business and Partner Awards ceremony at the Higley Unified School District. Councilmember Daniels said Gilbert received a

plaque from the Higley Unified School District. Chief Dorn advised that there will be a ceremony on September 11, 2012, at the 9/11 Memorial. Mayor Lewis reported on a Canada-Arizona Business Council meeting.

ADJOURN

Mayor Lewis adjourned the meeting at 9:35 p.m.

ATTEST:

John W. Lewis, Mayor

Catherine A. Templeton, CMC, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the Town Council of the Town of Gilbert held on the 6th day of September 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____.

Catherine A. Templeton, CMC, Town Clerk

**MINUTES OF THE GILBERT TOWN COUNCIL IN SPECIAL MEETING, TUESDAY,
SEPTEMBER 11, 2012 AT 4:45 P.M., COUNCIL CHAMBERS 50 EAST CIVIC CENTER
DRIVE, GILBERT, ARIZONA**

COUNCIL PRESENT: Mayor Lewis, Vice Mayor Sentz, Councilmembers Cook, Cooper, Daniels, Petersen and Ray

COUNCIL ABSENT: None

STAFF PRESENT: Clerk Templeton

CALL TO ORDER OF SPECIAL MEETING

Mayor Lewis called the meeting to order at 4:47 p.m.

ROLL CALL

Clerk Templeton called roll and declared a quorum was present. Councilmember Daniels participated by phone.

1. ELECTIONS - consider adoption of a Resolution accepting the canvass of the August 28, 2012 Primary Election.

Mayor Lewis reported the canvass was not done on September 6, 2012 as Gilbert was awaiting final reports from Maricopa County.

A MOTION was made by Vice Mayor Sentz, seconded by Councilmember Petersen, to adopt Resolution No. 3132 accepting the canvass of the August 28, 2012 Primary Election. *Motion carried 7-0.*

ADJOURN

Mayor Lewis adjourned the meeting at 4:48 p.m.

ATTEST:

John W. Lewis, Mayor

Catherine A. Templeton, CMC, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the Town Council of the Town of Gilbert held on the 11th day of September 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 4th day of October 2012.

Catherine A. Templeton, CMC, Town Clerk

MINUTES OF THE GILBERT TOWN COUNCIL IN SPECIAL MEETING FOR A STUDY SESSION, TUESDAY, SEPTEMBER 18, 2012 AT 5:00 P.M., SEVILLE GOLF & COUNTRY CLUB, NARANJO ROOM, 6683 SOUTH CLUBHOUSE DRIVE, GILBERT, ARIZONA.

COUNCIL PRESENT: Mayor Lewis, Vice Mayor Sentz, Councilmembers Cook, Cooper, Petersen and Sentz

COUNCIL ABSENT: Councilmember Ray

STAFF PRESENT: Manager Banger, Deputy Manager Skocypec, Clerk Templeton, Attorney Goodwin

CALL TO ORDER OF SPECIAL MEETING

The meeting began at 5:10 p.m.

Mayor Lewis made Council assignments for scouts, presentations, recognitions, and proclamations for the meeting.

1. Review items scheduled for the Council Meeting of September 20, 2012 at which time items will be acted on or continued. *Agenda items are detailed on the Council Meeting Agenda for September 20, 2012.*

The following items for the September 20, 2012 meeting were reviewed and discussed:

- 13. CONTRACT** – consider approval of Contract No. 2012-1003-0313 with the Leadership Centre (TLC) in an amount not to exceed \$10,000 in FY2013 related to providing educational services for persons living or providing homeowner association services in Gilbert, and authorize the Mayor to execute the required documents.

Community Development Specialist Fierro reviewed the item and with TLC. She stated that this year the amount being requested is less than in previous years. A cut of \$5,000 in services for HOA classes has been made. She advised that services will not be reduced. She reviewed how surrounding neighborhoods provide the same services, either through TLC or in-house. Community Development Specialist Fierro noted that residents of noncontract municipalities have to pay a fee for these services, whereas in many cases Gilbert residents can attend for free.

Vice Mayor Sentz asked about additional funding beyond what is given by municipalities. Community Development Specialist Fierro stated that TLC receives other funds from other municipalities as well as private funds. Councilmember Daniels said that the services provided by TLC are a value to the community. She requested that the contract not be allowed to expire again before it is brought back to Council for possible approval. Better monitoring is needed, she added. Councilmember Daniels said she supported the item as presented.

Discussion followed on what is being done to improve attendance. Community Development Specialist Fierro advised that there marketing opportunities are being explored. Vice Mayor Sentz said the cost to the Town is high when calculated on a per-person basis. Councilmember Cooper said he supported the work being done by TLC and questioned how cutting funds could increase attendance. Councilmember Petersen said the service provided by TLC is a vital one. He said it is not a responsibility of the Town to pay for this service. He said that mediation of problems is a proper role of government. He said the service provided by TLC in Solve It is saving the Town money in that the burden on the courts is reduced as a result of the Solve It mediation services.

2. Presentation on data for the first year of the compressed workweek schedule.

Budget and Financial Plan Analyst provided a history on the Compressed Workweek Task Force. He noted how he and Jobusch were appointed to serve on the Task Force and advised that the compressed workweek went into effect on July 11, 2011. He provided data on customer service impacts, customer and staff satisfaction and presented the results of internal surveys. Budget and Financial Plan Analyst advised that, overall, employee feedback has been positive. Assistant Fire Chief Jobusch said the percentage of employees stating that the changes were favorable or had no impact was ninety-two. He reviewed overall morale and the use of sick and vacation leave. Budget and Financial Plan Analyst reviewed the impact that the change was having on fuel use and energy consumption. He summarized that customers and staff have been supportive of the change. Discussion followed on the amount of vacation and holiday time given to employees as a result of the change to a compressed workweek schedule. Councilmember Daniels suggested having a future item on the Council's agenda related the 4x10 schedule.

3. Discussion on the efficiency and effectiveness of Study Sessions and Council Meetings.

No discussion.

4. Presentation on recent Capital Improvement projects completed in south Gilbert and projects planned for the future.

Assistant Town Engineer Medina reviewed some major Capital Improvement projects in south Gilbert, as defined as being south of the 202 Freeway. He identified projects under construction and those still in the design phase. In response to a question regarding coordination with school districts, Assistant Town Engineer Medina advised that construction often scheduled to place during school breaks, and that outreach and coordination with the schools districts is extensive.

5. Overview of Gilbert neighborhoods, neighborhoods located within central Gilbert, and services provided by Neighborhood Services; and

Neighborhood Services Specialist Stafford thanked the representatives for their attendance. She invited citizens to attend the 2012 Gilbert Faith Group Summit, on September 25, 2012 at the Gilbert Southeast Regional Library.

- Presentation and overview of Seville including highlights and challenges;

Ron Earle, President of the Seville HOA, stated that the HOA and community is strong financially. Seville conducted a Capital Improvement Reserve Study and was found, by an outside auditor, to have capital improvement funds beyond what is necessary. He said one of the challenges facing his community is the alkalinity of the water received from Gilbert. The alkalinity is harmful to plants in the community. Mr. Earle reviewed events put on in Seville to raise funds for charity.

- Presentation and overview of Trilogy including highlights and challenges;

Fran Moller, resident of Trilogy, reviewed some of the events in her adult community. She said the community is completely built out, and self managed. She reviewed the improvements taking place at Trilogy, including improvements to tennis courts, swimming pools, and other facilities.

- Presentation and overview of Portofino including highlights and challenges; and

Michelle Hunsaker, said that her group would like to be informed of times when street sealing will take place around the community, so that Portofino can possibly receive a discount on this service. She asked where the responsibility of liability would fall in the case of an accident to someone using Adora Trails.

- Communication from other neighborhoods located within south Gilbert.

Greg Ostapuk, Gilbert, reviewed how the impact of SB 1525 would affect Gilbert and asked the Council to research the issue.

Tod Schmitt, Gilbert, said he is working with the Gilbert Postal Service and the Queen Creek Postal Service to have his address changed to a Gilbert address. He said he resides and pays Gilbert taxes.

Kevin Bishop, Gilbert, said he manages four communities in the local area. He advised he is concerned about the quality of water received from Gilbert. He said

it is not on par with the water provided by other surrounding communities. The alkalinity is high.

John McLemore, Gilbert, Treasurer of Greenfield Acres HOA, said traffic is taking a shortcut through his community. He said this is a concern.

The meeting ended at 6:49 p.m.

ATTEST:

John W. Lewis, Mayor

Catherine A. Templeton, CMC, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the Town Council of the Town of Gilbert held on the 18th day of September 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____.

Catherine A. Templeton, CMC, Town Clerk